



United States Attorney
Southern District of New York

MEMO ENDORSED

By ECF

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Honorable Valerie E. Caproni
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Natural Resources Defense Council, Inc., et al. v. U.S. Department of the Interior, et al.*, 18 Civ. 4596 (VEC), consolidated with *National Audubon Society, et al. v. U.S. Department of the Interior, et al.*, 18 Civ. 4601 (VEC), and *State of New York, et al. v. U.S. Department of the Interior, et al.*, 18 Civ. 8084 (VEC)

Dear Judge Caproni:

This Office represents defendants U.S. Department of the Interior, U.S. Fish and Wildlife Service, and Daniel Jorjani, in his official capacity (“Defendants”), in the three consolidated actions referenced above. We write respectfully to request a brief four-day extension—from June 1, 2020 to June 5, 2020—of Defendants’ deadline to file their reply memorandum of law in further support of their cross-motion for summary judgment. Counsel for Plaintiffs do not object to the extension request.

Defendants have made progress on their motion papers, but due to unforeseen scheduling and logistical disruptions associated with the COVID-19 public health emergency, the undersigned counsel lost several days this past week that were to have been dedicated to work on the response to Plaintiffs’ reply submissions (which total 57 pages). Accordingly, Defendants respectfully request a brief extension of four days to complete their reply memorandum of law. This is Defendants’ first request for an extension of the deadline for their reply filing, and as noted previously, counsel for Plaintiffs do not object to the request.. The Court previously granted Defendants’ requests for extensions of their deadline to file their cross-motion for summary judgment and opposition to Plaintiffs’ motions for summary judgment on February 18, March 11, and March 23, 2020. See Dkt. No. 73, 75, 77.

If the Court grants Defendants’ application, the schedule of remaining deadlines would be as follows:

- Defendants’ reply in further support of their cross-motion for summary judgment due June 5, 2020 (*previous deadline: June 1, 2020*);
- Joint appendix to be filed June 12, 2020 (*previous deadline: June 8, 2020*); and
- Courtesy copies to be submitted June 15, 2020 (*previous deadline: June 11, 2020*).

We thank the Court for its consideration of and attention to these matters.

Respectfully submitted,

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Application GRANTED.

SO ORDERED.

Valerie Caproni
5/26/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE